

ORDINANCE NO. 2-06

**TO AMEND CERTAIN PORTIONS OF THE
UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA,
DESIGNATING THE TIME WHEN THE SAME SHALL TAKE EFFECT.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE,
INDIANA THAT ORDINANCE NO. 32-97 IS HEREBY AMENDED AS FOLLOWS:**

Section 1: Ordinance No. 32-97 of the City of West Lafayette, Indiana, is hereby amended to
rezone the following described real estate, to-wit:

Lot numbered Eight (8) in Scheffee and Royse's Addition to West Lafayette,
Indiana. Said Addition is laid out upon and is a subdivision of Lots numbered
Twenty-five (25) and Twenty-six (26) in the Town of Chauncey upon parts of the
East half of the South East Quarter of Section Nineteen (19) and the West half of the
South West Quarter of Section Nineteen (19) and the West half of the South West
Quarter of Section Twenty (20), all in Township Twenty-three (23) North, Range
Four (4) West. Located in Wabash Township, Tippecanoe County, Indiana.

Section 2: Said real estate is hereby rezoned as follows:

FROM: "R3W" District
TO: "PDRS" District

Section 3: This ordinance shall be in full force and effect from and after its passage and signing by the
Mayor.

INTRODUCED AND FILED ON THE ____ DAY OF _____, 2006.

DULY ORDAINED PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE ____ DAY OF _____, 2006, HAVING BEEN PASSED BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED.

Presiding Officer

Attest:

Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE ____ DAY OF _____, 2006, AT THE HOUR OF _____.

Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE ____ DAY OF _____, 2006 AT THE HOUR OF _____.

Jan Mills, Mayor

Attest:

Judith C. Rhodes, Clerk-Treasurer

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

January 19, 2006
Ref. No: 06-017

RECEIVED

JAN 20 2006

West Lafayette Council
Judith Rhodes, Clerk
609 West Navajo Street
West Lafayette, IN 47906

CLERK - TREASURER

CERTIFICATION

RE: Z-2270—CARBIN DEVELOPMENT, LLC (Woodbury PD) (R3W TO PDRS):

Petitioner is requesting rezoning for a new 3-story apartment building with 12, single occupancy 1-bedroom units and 12 parking spaces. The site is located at the northeast corner of Salisbury and Wood Streets in West Lafayette, Wabash 19 (SE) & 20 (SW) 23-5. CONTINUED FROM THE DECEMBER MEETING AT PETITIONER'S REQUEST.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 18, 2006, the Area Plan Commission of Tippecanoe County voted 13 yes – 0 no to APPROVE the motion to rezone the subject real estate from R3W to PDRS. Therefore, the Area Plan Commission of Tippecanoe County recommends to the West Lafayette Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
 2. PD construction plans per UZO Appendix B2-2;
 3. A final plat per UZO Appendix B-3-2 as applicable;
 4. Appropriate performance bonds submitted with final detailed plans;
 5. Plant schedule approved by the West Lafayette Greenspace Administrator;
- Additional Conditions:
6. A correction to the note found of page 2 of 4 that states "lease restrictions shall provide that occupancy shall be limited to only one unrelated person per bedroom, and a maximum of two related person per bedroom". The second half of the statement shall be deleted and read, "lease restrictions shall provide that occupancy shall be limited to only one unrelated person per bedroom."

7. The name of the development must be changed so as not to duplicate an existing planned development.

Public Notice has been given that this petition will be heard before the West Lafayette Council at its February 6, 2006 regular meeting.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

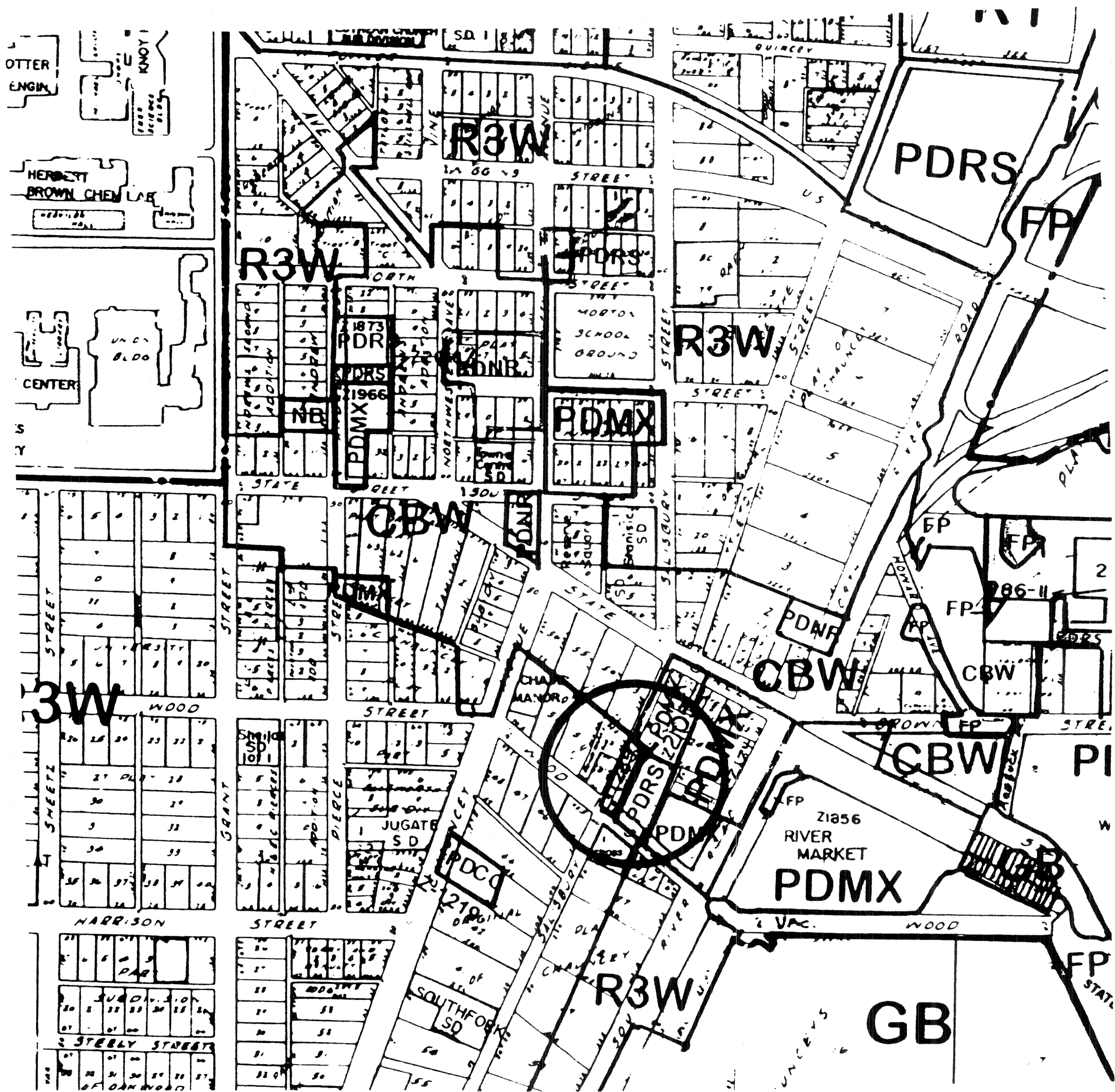
Enclosures: Planned Development drawings and Ordinances

cc: Carbin Development
Jonathon & Rebecca Caron
West Lafayette Development Department
John Meluch, Verizon
Kerry Plantenga, Insight Communications
Jim Yarnal, Vectron
Jeff Beumel, Cinergy PSI

Z-2270
CARBIN DEVELOPMENT LLC
WOODBURY PLANNED DEVELOPMENT
R3W TO PDRS

STAFF REPORT
12 January 2006

Z-2270
CARBIN DEVELOPMENT
(R3W TO PDRS)



Z-2270

CARBIN DEVELOPMENT LLC
WOODBURY PLANNED DEVELOPMENT
R3W to PDRS

Staff Report
12 January 2006

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, Barry Rubin & John Caron, represented by C&S Engineering, is requesting R3W to PDRS zoning for a new 3-story apartment building with twelve 1-bedroom, single occupancy units and twelve parking spaces. The site is located at the northeast corner of Salisbury and Wood Sts in West Lafayette, Lot Eight (8) Scheffee and Royse's Addition, Wabash 19(SE) & 20(SW) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The property in this case is zoned R3W as is the area south and west. Zoning north is primarily CBW with numerous projects zoned PD to the north and east. During the past 5 years, virtually all rezone requests in the surrounding area have been planned developments; four are in the same block as this site; State Street Towers Z-2134, Salisbury Place Z-2105, LinWang Z-1988 & Woodwind Condos Z-1265.

AREA LAND USE PATTERNS:

The site has one single-family home converted to a student apartment building with 6 units and an adjacent gravel parking lot. Land use south of this site is residential with both large student apartment complexes and single-family homes converted to multi-family units. To the north and along State Street, land use is a mix of retail/commercial and residential. Land uses further west, near the Village, and to the east, near the Levee shopping areas, are more commercial.

TRAFFIC AND TRANSPORTATION:

The site is located on the corner of Salisbury and Wood Streets, both local streets; Salisbury is one-way south. An alley abuts on the north edge of the property. The plans show twelve residential parking spaces, one per bedroom, with leases limiting occupancy to one person per bedroom. One of the twelve spaces will be handicapped accessible. All parking will be assigned including the handicapped accessible space. If no one in the building is handicapped the space will be given to an able-bodied resident until such time as the accessible space is needed. When this situation occurs spaces will be reassigned to accommodate the accessibility need. There is now and would continue to be two access points to the proposed parking for this development: the curb cut on Salisbury would serve eight spaces (including one handicapped space), and an entry off the alley to the north would give access to four spaces. Improvements made to the alley, during an earlier project to the north, dedicated an additional 15' of right-of-way along the south side of the adjoining property to allow room for 2-way traffic.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities and Indiana-American water are readily available. Liberal use of landscape material is shown both in the parking area and around the building. The dumpster for use by residents is

located on the alley within a 3-sided, 6-foot tall wood fence enclosure. Ground floor apartments with outside patios have a 30" tall brick separation wall.

STAFF COMMENTS:

Petitioner is seeking to replace one older converted single-family residence with a new 3-story apartment design. The existing structure has a maximum occupancy of 11 persons while the new building would contain twelve 1-bedroom apartments and a maximum occupancy of 12 persons. The location and proximity to campus, two blocks east of the Village, make it an ideal site for student or staff housing. Petitioner has stated that the lease will restrict occupancy to one person per bedroom, thereby assuring the need for only 12 parking spaces. For years, City policy has been to support the standard of a single parking space per bedroom when negotiating residential planned developments, if the building is situated in close proximity to the University, and if these restrictions are locked into place through the PD process.

Efforts by the city to work with near campus neighborhoods north of the Village includes a history of supporting neighborhood preservation and reintroduction of families and owner-occupied housing in those areas less suitable for student housing while also encouraging appropriate higher density student apartments closer to campus in neighborhoods primarily student populated. This site, south of State Street is surrounded by student apartments and is consistent with the city's philosophy of appropriate student rental housing close to campus.

The City has participated with petitioner in designing suitable landscaping, and petitioner has agreed to plant 14 trees on site where only one exists now. This proposal greatly improves the appearance of the property with a new building, landscaping and paved parking making the request worthwhile for the planned development process. As a result, petitioner benefits from negotiated standards that make best use of the site and the community benefits from a project designed to place student housing appropriately within walking distance and assures adequate parking for its residents. Staff fully supports the negotiated end product.

STAFF RECOMMENDATION:

Approval, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
3. A final plat per UZO Appendix B-3-2 as applicable;
4. Appropriate performance bonds submitted with final detailed plans
5. Plant schedule approved by the West Lafayette Greenspace Administrator;

Additional Conditions:

6. A correction to the note found on page 2 of 4 that states "lease restrictions shall provide that occupancy shall be limited to only one unrelated person per bedroom, and a maximum of two related person per bedroom". The second half of the statement will be deleted and read, "lease restrictions shall provide that occupancy shall be limited to only one unrelated person per bedroom."